

REMARKS

Claims remaining in the present patent application are numbered 1-17. The rejections and comments of the Examiner set forth in the Office Action dated July 26, 2006 have been carefully considered by the Applicants. Applicants respectfully request the Examiner to consider and allow the remaining claims.

35 U.S.C. 112 Rejection

The present Office Action rejected Claim 6 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention. Specifically, Claim 6 recites the limitation "the program stack" in line 2 of the claim. Applicants have herein amended Claim 6 so that the language "the program stack" has been replaced with the language "a program stack". As such, the 112, second paragraph rejection is moot at this time. Applicants respectfully request reconsideration of Claim 6.

35 U.S.C. §102 Rejection

The present Office Action rejected Claims 1-17 under 35 U.S.C. 102(e) as being unpatentable over Bates et al. (U.S. Patent No. 6,493,834). Applicants have reviewed the above cited reference and respectfully submit that the present

invention, as recited in Claims 1-17, is neither anticipated nor rendered obvious by the Bates et al. reference.

Independent Claims 1, 10, and 15

Applicants respectfully point out that embodiments of the present invention as claimed in amended independent Claims 1, 10 and 15 recites, in part:

a recovery agent . . . for taking an action upon an occurrence of an exception . . . , wherein said action is performed outside of a debugging operation;

Specifically, the claimed embodiments of the present invention pertain to a method and system for handling exceptions. In particular, embodiments of the present invention disclose a recovery agent that takes an action when handling an exception, wherein the action taken is performed outside of a debugging operation.

Applicants respectfully note that the Bates et al. reference does not teach a recovery agent taking an action in response to an exception, wherein the action taken is performed outside of a debugging operation. Instead, the Bates et al. reference teaches an apparatus and method for dynamically defining exception handlers in a debugger. Specifically, the Bates et al. reference teaches dynamically defining debugger exception handlers that correspond to exceptions of interest *while debugging*, and can thus

distinguish between exceptions that are expected (and therefore handled) and exceptions that signal a bug in the computer program during debugging. That is, the Bates et al. reference teaches a process for handling exceptions during a debugging process. (See col. 2, lines 24-30; and col. 7, lines 52-63) As such, the operations of interest performed by the debugger 127 (e.g., dynamic exception handler definition mechanism 128 and debugger exception handler(s) 129), and methods of flow charts 8 and 9 are executed during a debugging operation.

In contrast, distinct from the Bates et al. reference, embodiments of the present invention provide for exception handling that is performed outside of a debugging operation. Specifically, a recovery agent takes an action upon the occurrence of an exception, *wherein the action is performed outside of a debugging operation*. That is, the recovery agent takes an action in response to an exception thrown during the normal operation of the application, and not during a debugging operation. While embodiments of the present invention do provide for the storing of information that later can be used for a debugging process, the actions taken by the recover agent of embodiments of the present invention are not performed in the debugging process, and as such, is distinct from the Bates et al. reference. (See para. 15, Specification in US Pub. Number 2005/0015579 A1)

Thus, Applicants respectfully contend that embodiments of the present invention as claimed in independent Claims 1, 10, and 15 are neither anticipated nor rendered obvious by the Bates et al. reference. As a result, Applicants respectfully submit that Claims 2-9 are also in a condition for allowance as being dependent on an allowable base Claim 1. Further, Applicants respectfully submit that Claims 11-14 are also in a condition for allowance as being dependent on an allowable base Claim 10. In addition, Applicants respectfully submit that Claims 16-17 are also in a condition for allowance as being dependent on an allowable base Claim 15.

CONCLUSION

In light of the facts and arguments presented herein, Applicants respectfully request reconsideration of the rejected Claims.

Based on the arguments presented above, Applicants respectfully assert that Claims 1-17 overcome the rejections of record. Therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,
Wagner, Murabito & Hao LLP

Date: 10/25/06


John P. Wagner, Jr.
Reg. No.: 35,398
Two North Market Street
Third Floor
San Jose, California 95113